

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

BOARD OF TRUSTEES, SHEET METAL)	
WORKERS' NATIONAL PENSION FUND.,)	
)	
<i>Plaintiff,</i>)	
v.)	Civil Action No. 1:24-cv-790 (PTG/IDD)
)	
TARDIF SHEET METAL & AIR)	
CONDITIONING, INC., <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	

ORDER

This matter comes before the Court on the November 8, 2024 Report and Recommendation (“R&R”) from Magistrate Judge Ivan D. Davis regarding Plaintiff’s Motion for Default Judgment as to Defendants (Dkt. 9). Dkt. 18. Judge Davis advised the parties that objections to the R&R must be filed within fourteen (14) days of service and failure to object waives appellate review. Dkt. 17 at 10. To date, no objections have been filed.

After reviewing the record and Judge Davis’ Recommendation, and finding good cause, the Court hereby **APPROVES** and **ADOPTS** the findings Judge Davis set forth in the R&R (Dkt. 18) with a correction to the liquidated damages figure.¹ Accordingly, it is hereby

ORDERED that Plaintiff’s Motion for Default Judgment (Dkt. 9) is **GRANTED**; and it is further

ORDERED that default judgment be **ENTERED** in favor of Plaintiff and against Defendant Tardif Sheet Metal & Air Conditioning, Inc.; and it is further

ORDERED that Plaintiff Board of Trustees Sheet Metal Workers’ National Pension Fund

¹ It appears the Plaintiff incorrectly transposed the liquidated damages number from \$33,618.24 to \$33,168.24. Plaintiff indicates that they are entitled to 20% of Defendant’s delinquent withdrawal liability, here, \$168,091.21. Twenty (20) percent of \$168,091.21 is \$33,618.24. Therefore, the correct liquidated damages amount is \$33,618.24.


is entitled to damages in the total amount of \$208,966.77 and attorneys' fees and costs in the amount of \$5,710.53, for a total of \$214,677.30.

The Clerk of Court is directed to enter judgment in favor of Plaintiffs, and against Defendants, as set forth above, pursuant to Federal Rule of Civil Procedure 55. The Clerk is further directed to forward a copy of this Order to all parties of record.

It is **SO ORDERED**.

To appeal this decision, Defendants must file a written notice of appeal with the Clerk of the Court within thirty (30) days of the date of entry of this Order. A notice of appeal is a short statement indicating a desire to appeal, including the date of the order Defendants want to appeal. Defendants need not explain the grounds for appeal until so directed by the court of appeals. Failure to file a timely notice of appeal waives Defendants' right to appeal this decision.

Entered this 3rd day of January, 2025
Alexandria, VA



Patricia Tolliver Giles
United States District Judge